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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Warren J. Scherer Examiner: Leslie A. Royds
Serial No.: 10/626,037 Group Art Unit: 1614
Confirmation No.: 1255 Docket: 512-160
Filed: July 23, 2003 Dated: January 16, 2007
For: Methods of Treating
Cutaneous Flushing Using
Selective Alpha-2-
Adrenergic Receptor
Agonists

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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with the United States Postal Service as first class mail,
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Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450
on January 16, 2007*

Signed: _____

Deana J. Reila

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. §1.56, applicant submits herewith the following Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §1.97 and §1.98.

Applicant would like to remind the examiner that claims 29-33 were added to the application in the preliminary amendment dated March 29, 2005 for the sole purpose of provoking an interference with U.S. Patent Application No. 10/853,585 to DeJovin, et al., U.S. Publication No. 2004/0242588. The DeJovin reference was cited in the Supplemental Information Disclosure Statement filed on January 20, 2005.

Subsequently, rights to the present invention have been assigned to CollaGenex Pharmaceuticals, Inc. Rights to U.S. Patent Application No. 10/853,585 to DeJovin, et al. have

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been assigned to SansRosa Pharmaceutical Development, Inc., which is owned by CollaGenex Pharmaceuticals, Inc. Therefore, the present invention and U.S. Patent Application No. 10/853,585 to DeJovin, et al. are commonly owned.

In addition, applicant has become aware of U.S. Patent Application No. 10/763,807 to Shanler, et al. Shanler, et al. have requested an interference with U.S. Patent Application No. 10/853,585 to De Jovin, et al. Shanler, et al. is not assigned or licensed to CollaGenex Pharmaceuticals, Inc. or SansRosa Pharmaceutical, Inc.

Applicant also submits references cited in an International Search Report issued in International Application No. PCT/US04/23649 on February 10, 2006. A copy of the Report and cited references is enclosed.

UNITED STATES PATENT PUBLICATIONS

<u>APPLICANT(S)</u>	<u>PUBLICATION NO.</u>	<u>PUBLICATION DATE</u>
Shanler, et al.	US 2005/0165079	July 28, 2005
Gil, et al.	US 2004/0266776	December 30, 2004
Gupta, et al.	US 2004/0156873	August 12, 2004

NON-PATENT PUBLICATIONS

1. Wymenga, A. N. et al., "Management of Hot Flushes in Breast Cancer Patients," *Acta Oologica*; 2002, 41(3): 269-275.

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Copies of the cited references are enclosed to facilitate reference to them.

A separate listing of the references is set forth on the attached Form PTO-1449. The examiner is respectfully requested to consider these references in their entireties, and to indicate that he or she has done so by initialing the enclosed Form PTO-1449.

This Statement is being filed before the mailing of a first Office Action on the merits. Applicants believe that no fee for this submission is due. If, however, a fee is due for entry of this Information Disclosure Statement, the Office is authorized to charge Deposit Account No. 08-2461 for any such fee.

If the examiner believes a telephone discussion with the applicant's representative would be of assistance, he or she is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
(Rev. 2-32) PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
512-160

SERIAL NO.
10/626,037

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICANT
Warren J. Scherer

CONFIRMATION NO.
1255

(Use several sheets if necessary)

FILING DATE
July 23, 2003

GROUP
1614



U.S. PATENT PUBLICATIONS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	2005/0165079	July 28, 2005	Shanler, et al.			
	2004/0266776	December 30, 2004	Gil, et al.			
	2004/0156873	August 12, 2004	Gupta, et al.			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		1	Wymenga, A. N. et al., "Management of Hot Flushes in Breast Cancer Patients," <i>Acta Oncologica</i> ; 2002, 41(3): 269-275
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.